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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

In re Applications of	)	MM Docket No. 99-153
	)	
READING BROADCASTING, INC.	)	File No. BRCT-940407KF
	)	
For Renewal of License of Station	)	
WTVE(TV), Channel 51,	)	
Reading, Pennsylvania	)	
	)	
and	)	
	)	
ADAMS COMMUNICATIONS	)	
CORPORATION	)	File No. BPCT-940630KG
	)	
For Construction Permit for a	)	
New Television Station On	)	
Channel 51, Reading, Pennsylvania	)	

To: Administrative Law Judge Richard L. Sippel

**OPPOSITION TO ADAMS'  
 MOTION TO LODGE CERTAIN  
 DOCUMENTS IN THE DOCKET  
OF THIS PROCEEDING**

Reading Broadcasting, Inc. ("Reading"), by its counsel, hereby opposes "Adams' Motion For Leave To Lodge Certain Documents In The Docket Of This Proceeding" ("Motion") filed by Adams Communications Corporation ("Adams") on March 16, 2000. In support, the following is shown:

Adams' Motion provides copies of irrelevant documents for inclusion in the record. In fact, Adams' Motion directly contravenes the Presiding Officer's ruling that Reading's confidential financial data should be kept confidential and should not be placed in the record of this proceeding. By placing a copy of those records in the

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publicly available docket of this proceeding, Adams has violated the Presiding Officer's order by making this confidential information public, pending corrective action by the Presiding Officer.

The first category of documents (Exhibits A-B to the Motion) consists of a Motion to Dismiss and a Notice of Dismissal (without prejudice) from the litigation by The Petroleum V. Nasby Corporation and Kathy G. Root v. Bechtel & Cole, Chartered. Including this material in the record of this case serves no purpose. Bechtel & Cole, Chartered is not a party to this case and there are no pending issues in this case involving the allegations presented in the dismissed complaint.

The second category of documents (Exhibits C-G to the Motion) consists of the financial statements of Reading that the Presiding Officer specifically excluded from the record of the case. *Order*, FCC 00M-04 (released January 13, 2000); Tr. 710-28. Adams purports to present these documents to "assist in review of exclusionary rulings as may be appropriate in appellate stages of the proceeding." Motion at 1. However, the basis for the Presiding Officer's exclusionary ruling is perfectly clear from the existing record, so there is no need to put the underlying documents on the record.

The third category of documents (Exhibits H-M to the Motion) consists of copies of annual employment reports for WTVE from 1989-94. (At the hearing, Adams did not proffer the 1989 employment report. Tr. 725-26.) Again, the basis for the Presiding Officer's exclusionary ruling is clear enough from the existing record that there is no need to put the underlying documents on the record, in order for an appellate authority to rule. Tr. 725-27. Reading also notes that both parties were given the opportunity to submit documents that were to be subject to official notice. *See Order*, FCC 99M-42

(released July 15, 1999) at 4 n.7. Adams elected not to present these documents in advance of the hearing in accordance with that order.

The final category of documents (Exhibits N and O) consists of copies of bankruptcy filings that are irrelevant to the issues in this case. Adams' attempt to develop a hearing issue out of this material has been rejected. *See Memorandum Opinion and Order*, FCC 99M-81 (released December 13, 1999). Counsel for Adams did not offer this material as exhibits, nor did they conduct cross-examination based on this material. Tr. 728-36. Accordingly, the documents are irrelevant to this case and should be stricken from this docket.

Respectfully submitted,

READING BROADCASTING, INC.

By Thomas J. Hutton  
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March 22, 2000

## CERTIFICATE OF SERVICE

I, Myra Powe, a secretary in the law firm of Holland & Knight LLP, do hereby certify that on March 22, 2000, a copy of the foregoing Opposition to Adams' Motion To Lodge Certain Documents In The Docket Of This Proceeding was delivered by facsimile to the following:

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